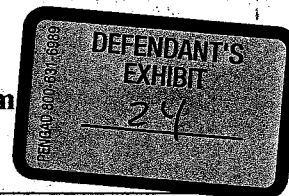


## The City of Dothan Employee Disciplinary Action Report Form

Authority: Regulation III - DISCIPLINARY POLICY



## SECTION III - EMPLOYEE INFORMATION

Employee Name <b>Mary Beth Brackin</b>	Employee ID Number <b>100382</b>	Hire Date <b>05/01/1992</b>	Department <b>Judicial Department</b>
Employee Job Title <b>Magistrate</b>		Counseling Supervisor Name & Job Title <b>Ms. Nancy Martin, Municipal Court Administrator</b>	

## SECTION IV - OFFENSE AND TYPE OF ACTION

Check (✓) Category and Offense, Circle (O) Rule Number(s) violated

☐ MINOR CATEGORY      ☐ 1st Offense      ☐ 2nd Offense      ☐ 3rd Offense      ☐ 4th Offense

Violation of Rule: Section 3-41.    1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18

☒ MAJOR CATEGORY      ☒ 1st Offense      ☐ 2nd Offense

Violation of Rule: Section 3-42.    1 2 3 4 5 (6) 7 8 9 10 11 12 13 (14) 15 16 17 18 19

☐ INTOLERABLE CATEGORY      ☐ 1st Offense

Violation of Rule: Section 3-43.    1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

Check (✓) Type of Disciplinary Action For This Offense

☐ FORMAL COUNSELING      ☐ WRITTEN WARNING      ☒ FINAL WRITTEN WARNING

## SECTION V - DETAILS OF THIS DISCIPLINARY ACTION REPORT

In the space below or on additional sheets provide detailed documentation of the rule(s) violated to include dates and the specific actions of the employee. Include details of recommendations for corrective action and consequence of future violations.

It is alleged that on or about the 7<sup>th</sup> day of January, 2004, you advised Mr. Theron Fondren, a defendant who was arrested on an alias warrant for failure to comply with the Court Referral Program, that he was wrongly arrested and that another employee was negligent regarding his case. This is directly insubordinate to a memorandum dated January 8, 2003 from Judge Gordon directing all Judicial Department Personnel that any citizen wishing to file suit against the City should be directed to the City Clerk's Office **without comment upon possible liability**. You acknowledged receipt of this memorandum during the investigation of this incident. This is in violation of City of Dothan Personnel Rules and Regulations Section 3-42 (6) action(s) or lack of action(s), that could cause undue financial loss to the City, and Section 3-42(14), insubordination. As you are aware, this is not the first instance of allegations of this nature against you, although no disciplinary action was taken regarding that incident. As a veteran employee of the City of Dothan, you are looked upon as a lead person with demonstrated skills, experience, and are fully knowledgeable of the policies of the City of Dothan. These violations constitute a major category offense which imposes a one to twenty day suspension without pay. Further, any other major violation occurring within two (2) years of this date, shall result in discharge.

Supervisor Signature <i>Nancy L. Martin</i>	Date signed <i>4/22/04</i>	Department Head Signature <i>Don Gordon</i>	Date Signed <i>4/22/04</i>
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I acknowledge I was counseled or warned in reference to the rule violation(s) cited above. I understand my signature on this form acknowledges the counseling or warning took place for the reasons given. I understand my signature does not mean I agree or disagree with the statements documented on this form. I also understand I may provide a written explanation of the offense for which the counseling or warning report has been issued and attach this written statement to this form. I understand this Personnel Form #147 and any attachments will be forwarded to the Personnel Department and become a part of my permanent employment record.

 EMPLOYEE SIGNATURE *Mary Beth Brackin* Date Signed: *4/22/04*

 Distribution: ☐ ORIGINAL to Personnel Department      ☐ COPY to Employee      ☐ COPY to Department Head

# The City of Dothan Employee Disciplinary Action Report Form

Authority: Regulation III - DISCIPLINARY POLICY

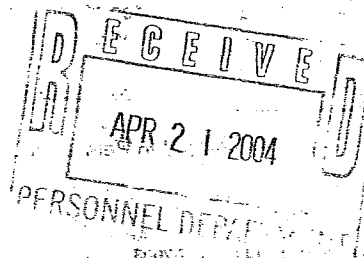
How to use the Tables below: Complete SECTION I by listing the employee's minor offense history for the past twelve months and/or Major offense history for the past twenty-four months. Refer to the SECTION II - DISCIPLINARY ACTIONS SUMMARY TABLE to determine the appropriate disciplinary action to be taken and whether the disciplinary action must follow the Due Process Procedure as set out in Personnel Regulation IV.

Note: "Minor", "Major", or "Intolerable" offenses have separate disciplinary action progressions. See the SUMMARY TABLE in SECTION II below. The offense free time period required to clear a disciplinary record of MINOR offenses is 12 months and MAJOR offenses is 24 months from the "date of record" for last offense committed. ("Date of Record" is date form signed by department head.)

SECTION I - REVIEW OF EMPLOYEE DISCIPLINARY HISTORY			
A review of this employee's active Disciplinary History includes the following MINOR category offense(s) and/or the following Major category offense(s). If the employee has no active disciplinary history, write N/A.			
Category	Type of Action	Dated	Specific Violation - Cite Rule and Offense
MINOR	Formal Counseling	N/A	
MINOR	Written Warning	N/A	
MINOR	Final Written Warning or Final Written Warning & 1-5 Day Suspension	N/A	
MAJOR	Final Written Warning & 1-20 Day Suspension	N/A	

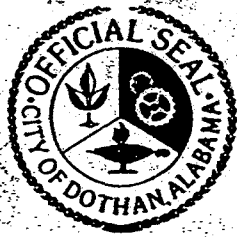
The SUMMARY TABLE below shows: (1) The disciplinary progression (1st, 2nd, 3rd, etc., offense) and resulting disciplinary action for MINOR, MAJOR, and INTOLERABLE offenses; and (2) Whether a disciplinary action requires a Due Process Hearing before being administered.

SECTION II - REVIEW OF ACTION SUMMARY TABLE				
DUE PROCESS HEARING NOT REQUIRED	First Offense MINOR	Second Offense MINOR	Third Offense MINOR	Fourth Offense MINOR
	Formal Counseling	Written Warning	Final Warning or (See below)	See Below
DUE PROCESS HEARING REQUIRED PRIOR TO ADMINISTERING	First Offense MAJOR	Second Offense MAJOR	Third Offense MINOR	Fourth Offense MINOR
	Final Warning and 1-20 Day Suspension	Discharge	Final Warning and 1-5 Day Suspension	Discharge
	First Offense INTOLERABLE	Due Process Hearings are implemented in accordance with Personnel Regulation IV		
	Discharge			



DOTHAN/Martin & Brackin 0914  
Confidential Subject to Protective  
Order





**JUDICIAL DEPARTMENT**

City of Dothan

(334) 615-4142 - Office

(334) 615-4149 - Facsimile

**INTEROFFICE MEMORANDUM**

**TO:** Judicial Department Personnel  
**FROM:** Rose Evans-Gordon,  
Municipal Court Judge  
**DATE:** January 8, 2003  
**SUBJ:** Public Relations

*Rose Evans-Gordon*

It is of the utmost import that we as City employees use courtesy and discretion in our dealings with the public. The City Manager has stressed the significance of diplomatically referring those citizens making allegations of liability on the part of the City to the City Clerk's Office without commenting on the possibility of liability.

Again, Mr. Rubin directs that citizens inquiring about reimbursement from the City for perceived liability on the City's part be directed to the City Clerk's Office and that no comment be made regarding the possible liability. Immediately apprise Ms. King in writing of the situation so that appropriate action can be taken.